



LONDON N. BREED
MAYOR

CITY AND COUNTY OF SAN FRANCISCO
POLICE DEPARTMENT
HEADQUARTERS
1245 3RD Street
San Francisco, California 94158



WILLIAM SCOTT
CHIEF OF POLICE

August 1, 2019

Via email 72582-56679999@requests.muckrock.com

Anonymous

RE: Public Records Request, dated May 01, 2019, Reference # P007602-050119

Dear Sir or Madam,

The San Francisco Police Department (SFPD) received your Public Records Act request, dated May 1, 2019.

You requested:

“PART 1

Electronic copies, via email, of all email, calendar invites, text/SMS/MMS/instant messages, or memos sent, written, or received between January 1, 2017 and 2019-04-30(inclusive), to or from (1)

any employee or officer and (2) any of the following:

- R1. Donald Trump
- R2. Barack Obama
- R3. The Trump Organization LLC, Trump Golf, Trump Hotels, Trump International Realty, the owners or operators of Trump Tower, Trump International Golf Club, or Trump National Golf Club Mar a Lago, or any of their subsidiaries
- R4. Mick Mulvaney
- R5. Rahm Emanuel
- R6. Denis McDonough
- R7. Melania Trump
- R8. Michelle Obama
- R9. Eric Holder
- R10. Loretta Lynch
- R11. Sally Yates
- R12. Dana Boente
- R13. Eric F Trump
- R14. Donald J Trump Jr
- R15. Jeff Sessions
- R16. Matthew Whitaker
- R17. William Barr
- R18. Robert Mueller

- R19. Rod Rosenstein
- R20. Zachary Fuentes
- R21. John Kelly
- R22. Reince Priebus
- R23. John R. Bolton
- R24. Kirstjen Nielsen
- R25. Kevin McAleenan
- R26. Kevin Hassett
- R27. Timothy Harleth
- R28. Marcia Lee Kelly
- R29. James W. Carroll
- R30. Kelvin Droegemeier
- R31. Robert Lighthizer
- R32. Dan Scavino
- R33. Sarah Sanders
- R34. Michael Cohen
- R35. Jim Petrus
- R36. Katrina Pierson
- R37. Ivanka Trump
- R38. Peter Navarro
- R39. Larry Kudlow
- R40. Stephen Miller
- R41. Jared Kushner
- R42. Kellyanne Conway
- R43. Emma Doyle
- R44. Pat Cipollone
- R45. Jay Sekulow
- R46. Rudy Giuliani
- R47. Emmet Flood
- R48. Johnny DeStefano
- R49. any email address ending in whitehouse.gov or eop.gov not included above,
- R50. any employee of the Executive Office of the President of the United States, the White House Office, or the Office of Management and Budget not included above
- R51. any employee or officer of the US Office of the Attorney General, US Office of the Deputy Attorney General, and the Special Counsel's Office not included above

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PART 2

Electronic copies, via email, of all agreements either executed OR in effect at any time from January 1, 2017 to 2019-04-30(inclusive) with any of the following:

- R52. The Trump Organization LLC, Trump Golf, Trump Hotels, Trump International Realty, the owners or operators of Trump Tower, Trump International Golf Club, or Trump National Golf Club Mar a Lago, or any of their subsidiaries
- R53. INTERPOL (International Criminal Police Organization)
- R54. Bureau of Alcohol, Tobacco, Firearms and Explosives

R55. Bureau of Diplomatic Security
R56. Bureau of Indian Affairs Police
R57. Bureau of Industry and Security
R58. Bureau of Land Management Office of Law Enforcement and Security
R59. United States Coast Guard Police
R60. Computer Crime and Intellectual Property Section
R61. Defense Logistics Agency Police
R62. Drug Enforcement Administration
R63. United States Department of Justice
R64. United States Marshals Service
R65. Department of the Army Civilian Police
R66. Drug Enforcement Administration
R67. Federal Air Marshal Service
R68. United States Secret Service
R69. Federal Bureau of Investigation
R70. Federal Flight Deck Officer
R71. Federal Protective Forces
R72. United States Border Patrol
R73. Federal Reserve Police
R74. Financial Crimes Enforcement Network
R75. United States Coast Guard
R76. United States Fish and Wildlife Service Office of Law Enforcement
R77. United States Government Printing Office Police
R78. United States Department of Homeland Security
R79. US Internal Revenue Service
R80. Hoover Dam Police
R81. National Drug Intelligence Center
R82. National Gang Intelligence Center
R83. National Institutes of Health Police
R84. National Security Agency Protective Services
R85. National Zoological Park Police
R86. United States Naval Academy Police Department
R87. Office of Criminal Investigations
R88. Office of Export Enforcement
R89. Pentagon Force Protection Agency
R90. United States Pentagon Police
R91. Smithsonian Police
R92. Supreme Court Police
R93. United States Air Force Office of Special Investigations
R94. United States Forest Service
R95. United States Department of Veterans Affairs Police
R96. Violent Crime Impact Teams
R97. Customs and Border Protection
R98. Immigration and Customs Enforcement
R99. Joint Terrorism Task Force
R100. Central Intelligence Agency

R101. NSA/CSS

R102. Department of Defense

All of your responses, including any disclosed records, secret URLs or file share passwords, may be automatically, instantly, and publicly viewable via the muckrock.com Internet service used to issue this request.”

On May 7, the SFPD informed you that your request was too broad. We asked, will you please narrow/clarify the focus of your request so that it reasonably describes identifiable records, such as a category or topic? To date, the SFPD, Legal Division has not received further clarification from you.

A public records request must specify an identifiable record or category of records sought, Cal Govt. Code § 6253(b). The SFPD is more than happy to assist you in identifying documents, but a request must be sufficiently clear and defined to enable SFPD to understand what records are the subject of the request.

On May 24, the SFPD responded to your request as follows:

At this time, SFPD has determined that Part 1 of your request does not meet the legal definition under Cal Govt. Code § 6253(b). As for Part 2 of your request, responsive records are included in this correspondence. Please note that redactions have been made in these materials pursuant to Govt. Code § 6254(f), which exempts from disclosure records of complaints to, investigations conducted by, intelligence information or security procedures of, and investigatory or security files compiled by local police agencies.

Furthermore, on July 22, the Media Relations Unit, a separate division of SFPD, forwarded your MuckRock correspondence to the Legal Division (the division processing your request), which included your May 7 response to our request for clarification. Your response is as follows:

“we respond as follows:

We have indeed identified two category of records in our request (our request is also re-attached). The first (R1-R51) category is emails and calendar invites from or to SFPD employees and the named persons and entities. You should be able to search (for example) your Microsoft Exchange/Google Mail/etc. or other email service provider/server using those parameters. The second (R52-R102) is contracts between SFPD and the named entities. Your contract department should be able to identify those contracts by party. If you are demanding that we send each request R1 through R102 separately we can do that, but it seems inefficient to do so. We have sent similar requests to agencies across the United States, and in all cases have done so in a batch form for efficiency for both you and us.”

On the same date, the SFPD responded to your request as follows:

Although you provided an explanation as to how we should conduct a search, you did not narrow or clarify the focus of your request so that it reasonably describes identifiable records, such as a category or topic. Part 1 of your request is too broad.

A public records request must specify an identifiable record or category of records sought, Cal Govt. Code § 6253(b). The SFPD is more than happy to assist you in identifying documents, but a request must be sufficiently clear and defined to enable SFPD to understand what records are the subject of the request.

The SFPD stands by its determination of May 7 for part 1 of your request. At this time, SFPD has determined that your request does not meet the legal definition under Cal Govt. Code § 6253(b).

On the same date, the SFPD received your follow up response, as follows:

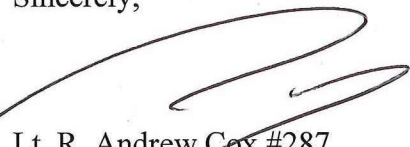
“There is no topic we are willing to limit part 1 of our request to. However we are willing, for now, to limit the officers/employees of your agency whose communications we are seeking, which is all officers/employees with any of the following positions: Captain, Commander, Deputy Chief, Assistant Chief, Civilian Director, or Chief of Police, during the time period requested.

There is no requirement that a topic be used to identify records. We have indeed identified the subject of the records: all communications between the parties mentioned during the time period mentioned.”

The SFPD is invoking the extension of time to respond to your public records request, which you kindly updated on July 22, pursuant to Government Code section 6253(c) because of the need to consult with another division of the agency. Once it has been determined whether the information you request is available, we will advise you within 14 days but no later than by August 15.

Thank you for your courtesy in this regard.

Sincerely,

A handwritten signature in dark ink, appearing to read 'R. Andrew Cox', with a large, sweeping flourish extending from the end of the signature.

Lt. R. Andrew Cox #287
Officer in Charge
Risk Management - Legal Division